

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Douglas L. Lutz,)	
)	
Plaintiff,)	Case No. 1:03-CV-750
)	
v.)	
)	
St. Paul Fire and Marine)	
Insurance Company,)	
)	
Defendant.)	

Order Adopting Report and Recommendation

On May 26, 2005, United States Magistrate Judge Timothy S. Hogan issued a Report and Recommendation addressing Plaintiff's motions for sanctions (Doc. 15) and for leave to file the transcript of the deposition of Sandra Woodbury in support of the motion for sanctions (Doc. 25). The Magistrate Judge recommended that both motions be granted.

Defendant has not filed objections to the Report and Recommendation within the time allotted, and the Court finds no plain error in the Magistrate Judge's recommended resolution of the motions in question. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation *in toto*.

Plaintiff's motion for sanctions in the amount of the fees and expenses incurred in taking the deposition of Cary Meiners and filing his motion for sanctions and reply memorandum (Doc. 15) is hereby **GRANTED**. Plaintiff shall advise Defendant of

that amount within fifteen days of the date of this Order. Defendant **MUST PAY** the amount demanded by Plaintiff within fifteen days of receiving the demand. In the event that Defendant legitimately disputes the amount demanded, it must immediately request documentation from Plaintiff to support the demand. Plaintiff must provide the requested documentation within three business days of the request. If a dispute remains, the parties are instructed to request a conference with the Magistrate Judge to resolve the dispute. Plaintiff's motion to supplement the motion for sanctions (Doc. 25) is also hereby **GRANTED.**

IT IS SO ORDERED.

_____/s/
Sandra S. Beckwith, Chief Judge
United States District Court